[Secretary General]

(XVI)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Pondicherry Appropriation Bill, 1991, as passed by Lok Sabha at its sitting held on the 11th March, 1991.

2. "The Speaker has certified that this Bill is a Money Bill."

(XVII)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Appropriation (No. 3) Bill, 1991, as passed by Lok Sabha at its sitting held on the 11th March, 1991.

2. "The Speaker has certified that this Bill is a Money Bill, within the meaning of article 110 of the Constitution of India."

(XVIII)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Constitution (Seventy-fifth Amendment) Bill, 1991, which has been passed by Lok Sabha at its sitting held on the 11th March, 1991, in accordance with the provisions of article 368 of the Constitution of India."

I lay the Bills on the Table.

REG. PAPERS LAID ON THE TABLE

THE DEPUTY CHAIRMAN: All of it has been laid. Lot of things we are laying on the Table today.

Now there are certain technical difficulties. The Bills have come from the Lok Sabha just now. The President's recommendations regarding the financial Bills are also needed and they are coming. So, I take the House into confidence that at 3.30 we will meet and I will adjourn the House for one hour. (*Interruptions*).

There is a technical difficulty. Otherwise I would like to go home early like you. But these are difficulties. I wanted to discuss the matter with the leaders, but I could not discuss it because they were not available, as I was informed by the Secretariat. Moreover, we did not know when the Lok Sabha was sending us the Bills. So, as soon as they came... (*Interruptions*) Just a minute please.

SHRI G. SWAMINATHAN (Tamil Nadu): What is the technical difficulty, Madam?

THE DEPUTY CHAIRMAN: The technical difficulty is that the Bills have just come from the Lok Sabha. The Rajya Sabha has just to prepare the pads. It is an eight-page report, which they have to prepare and which I have to read here. The recommendation of the President has also to come for the financial Bills. Some legal luminaries have been sitting around you. You can ask them about it. You had been the Speaker. You must be knowing. Perhaps you did not have to deal with the other House. We have to deal with it.

THE MINISTER OF PETROLEUM & CHEMICALS AND PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALAVIYA): He had been in the Council.

THE DEPUTY CHAIRMAN: You had been in the Council. Anyway. These are technical difficulties. So, I take the House into confidence that we will meet after one hour and we will finish everything. (*Interruptions*) पांडे जी, म पको आवाज सबह सनाई नहीं दी, अब आप उनको बोलने दीजिए. (व्यवधान)

I will adjourn the House. Let me hear him for one minute. What is the harm?

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): I wanted to know from the Government whether they are bringing the Constitutional (Amendment) Bill also in the House; if so, whether they are ready for the requisite strength. That is all I wanted to know.

SHRI P. SHIV SHANKER (Gujarat): I would like to explain the position. This morning Mr. Upendra, speaking for the National Front categorically said that his party will abstain from voting.

SHRI PARVATHANENI UPENDRA: We will not vote, not abstain.

SHRI P. SHIV SHANKER: Abstention means abstention.

SHRI PARVATHANENI UPENDRA: I said we will not participate.

SHRI P. SHIV SHANKER: Abstain from voting means you will sit here but will not vote.

SHRI PARVATHANENI UPENDRA: That is absolutely correct.

THE DEPUTY CHAIRMAN: Mr. Shiv Shanker, he means he will register his vote as abstained. (*Interruptions*)

SHRI P. SHIV SHANKER: Now, he told everyone, all the leaders who were present. Of course, the leader of the House and the Government were not represented. Rest of the leaders were there. He said, "Kindly ensure your presence tomorrow."

SHRI PARVATHANENI UPENDRA: No.

SHRI P. SHIV SHANKER: You said that.

SHRI PARVATHANENI UPENDRA: I said for the Statutory Resolution.

SHRI P. SHIV SHANKER: Not for the Resolution, but for the Constitutional amendment. Why are you going back from your statement? So far as we are concerned, we have not been able to issue a whip and we have not been able to ensure the presence of all the Members, because we were under the impression that the voting will not take place today. Therefore, let the voting on these Bills take place tomorrow. We will ensure the requisite Members, because at least 123 Members will have to be present and two-thirds will have to vote. Therefore, we will request that the voting part may be taken up tomorrow so far as this particular Bill is concerned. (*Interruptions*)

THE DEPUTY CHAIRMAN: I have not adjourn the House technically. I know how to run this House. I have been doing it for quite some time. I said I am taking the consent of the House. I have not yet announced the consent. It is very much in order. Mr. Upendra can speak.

SHRI PARVATHANENI UPENDRA: Madam, I want to make a clarification. In the morning... We were given to un-Constitutional (Amendment) Bill today, at the fag end of the day so that this will come up tomorrow here. That was the understanding. But they passed it with expeditious speed so that this amendment will be passed here also. The President has to approve it tonight so that the Statutory Resolution can be introduced in both the Houses tomorrow. Therefore, they can still mobilise their members within one hour after the adjournment of the House. They can still tell their Members.

SHRI P. SHIV SHANKER: He is expecting too much. This is highly irresponsible and expecting too much from us. You say one thing there and you are changing it here... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Why do you argue for everything?

SHRI PARVATHANENI UPENDRA: The Government has to regulate it. They should request you not me. I am not Parliamentary Affairs Minister. ..(*Interruptions*)...

THE DEPUTY CHAIRMAN: Please let me hear him also; then, I will give my ruling. Neither Shiv Shankerji can give the ruling, nor you can give the ruling, nor even the Government can give the ruling. Finally, I will have to decide what is to be done.

SHRI PARVATHANENI UPENDRA: Government can say that.

THE DEPUTY CHAIRMAN: Government cannot say. Even the Chair has to be taken into confidence. ..(*Interruptions*) ...Yes, Mr. Dipen Ghosh.

SHRI DIPEN SHOSH (West Bengal): The question that we were discussing is how quickly we can pass all thtse pending Bills as soon as they are passed by the other House and reported to this House. We are also agreeble to sit late. This was all right. Since the question of presence of more than 50 per cent of the total Members of this House is a must for getting a Constitutional Bill passed, naturally the thing which came uppermost in our mind, in the mind of Mr. Upendra was whether we will be in a position to mobilise more than 50 per cent of the Members. Anyway, as for me I can tell you, Mr. Upendra's statement was misunderstood. Everybody thought that the entire thing will be taken up tomorrow. This was pointed out by Mr. Shiv Shanker also. On behalf of my party, I would appeal though you, to Mr. Shiv Shanker to see that if not the total number of Members which his party has got at least as many as possible who have not yet reported for the present are mustered within one hour.... (*Interruptions*)...This is my appeal because we are getting one hour in the meantime. I think some more Members from his party could be mustered. Then our party is here, BJP is here. So if it is possible, then, we will think, we will decide it at that time.

THE DEPUTY CHAIRMAN: Okay. Let Mr. Shiv Shanker react.

SHRI P. SHIV SHANKER: Madam, the point is this. Normally what we discuss in the chamber, we do not say it here. But the fact remains that Mr. Upendra was very clear. They would like that the Bill should be passed. The exact words he used were. "They will facilitate the passing of the Bill." He said that his party would abstain from voting. This was what was said. That means they will not vote. He told us that we must ensure the presence of every one of us. The whole point is that we have not issued any whip. It is very difficult for me to phone up and get the Members here by 3.30 or 4 o'clock. If you would like that we should make a trial, we would make it but it is not possible.

THE DEPUTY CHAIRMAN: I mean if you can try.

SHRI P. SHIV SHANKER: Instead of taking the risk, it is better that the voting is postponed till tomorrow. At 11 o'clock tomorrow, let the voting take place so that things could be peaceful.

श्री अटल बिहारी वाजपेयी : (मध्य प्रदेश) : महोदया, मैं यह कह रहा था कि मतदान के बारे में अनिश्चियता नहीं रखनी चाहिए । अभी शिव शंकर जी से अपील की गई है कि वह सदस्यों की उपस्थिति के बारे में प्रयत्न करें । लेकिन प्रयत्न करने के बाद अगर उन्हें सफलता नहीं मिली तब फिर सदन के सामने एक विचित्र परिस्थिति पैदा हो जायेगी । मेरा निवेदन है कि मतदान कल होना चाहिए और शाम को सदन उठने से पहले हमें जो राष्ट्रपति जी के यहां से संदेश प्राप्त होने वाला है उसके बारे में हम फैसला कर लें । यह दोनों कल कर सकते हैं उसमें कोई व्यावहारिक कठिनाई नहीं है ।

THE DEPUTY CHAIRMAN: Does the Government agree? (*Interruptions*).

SHRDI PARVATHANENI UPENDRA: Madam, they are keeping quiet as if this is not their responsibility. (*Interruptions*).

THE MINISTER OF FINANCE (SHRI YASHWANT SINGH): I only .... (*Interruptions*).

THE DEPUTY CHAIRMAN: Let the Leader say.... (*Interruptions*).

SHRI PARVATHANENI UPENDRA: You don't have the responsibility. We have to do your job also. (*Interruptions*).

SHRI YASHWANT SINHA: You don't have to do my job. Mr. Upendra, I am sorry you are getting excited for nothing. I will only speak when my turn comes. This has been my style and this will be my style. (*Interruptions*).

SHRI DIPEN GHOSH: One second.

SHRI YASHWANT SINHA: One second and he is saying I am abdicating my responsibility. (*Interruptions*).

THE DEPUTY CHAIRMAN: Mr. Upendra, let us have cool at least today. Let us run the House in order like the Lok Sabha.

SHRI PARVATHANENI UPENDRA: It is their responsibility. (*Interruptions*).

SHRI YASHWANT SINHA: Mr. Upendra, I am quite capable of looking after my interests and the interests of the Government. (*Interruptions*).

SHRI PARVATHANENI UPENDRA:....They did not approach their supporting parties. They did not.... (*Interruptions*).

SHRI G. G. SWELL (Meghalaya): I cannot understand one thing. If you want the Bill to be passed and if Mr. Shiv Shanker has said that he is sure to get his Member tomorrow, what is the harm in passing it tomorrow?

THE DEPUTY CHAIRMAN: No harm.

SHRI G. G. SWELL: I do not understand. It is all wrangling, wrangling which means nothing.

THE DEPUTY CHAIRMAN: Please take your seat.

SHRI DIPEN GHOSH: Madam, before the Leader of the House reacts, I would like to say this. Tomorrow, in the morning at 11 o'clock, if that Bill, the Constitution Amendment Bill, is taken up for consideration and passing without any speech, I do not have objections. But the other part of Mr. Vajpayee's proposal is that it has to be reported back to the Lok Sabha. Then there is the President's assent. And then a resolution has to be brought. If Government can ensure that by tomorrow afternoon they bring that resolution, then I think there will be no difficulty.

THE DEPUTY CHAIRMAN: Now, let the Government react. Everybody has had his say.

SHRI YASHWANT SINHA: Madam Deputy Chairman, this is an understanding which has been reached among various leaders, to which Mr. Shiv Shanker referred and to which Mr. Upendra referred. I think under that understanding, we should bring that Bill for voting tomorrow. That is quite clear. I do not think we should takt any chances today. There is absolutely no reason for doing that. As far as the President's assent and the resolution are concerned, we will take care of them. They should not be a problem. I will request Members not to be bothered about that or concerned about that. May I also suggest that since we have not received it, or some technical problems are still there, we might also take up the financial business, instead of adjourning today, meeting again a 3.30 p.m.? (*Interruptions*).

SHRI PARVATHANENI UPENDRA: No.

SHRI YASHWANT SINHA: We can take it up tomorrow. That is a suggestion I am making to the House. (*Interruptions*).

THE DEPUTY CHAIRMAN: Let him finish. Have that much courtesy. He listened to you quietly.

SHRI YASHWANT SINHA: Madam Deputy Chairman, the House, in any case, is required to meet tomorrow to discuss the Constitution Amendment. So, I am making a suggestion that if everybody agrees, we will take up the financial business also tomorrow so that we will be ready with it.

SHRI V. GOPALSAMY (Tamil Nadu): We can pass it today itself.

SHRI YASHWANT SINHA: That is for your consideration. I am making a suggestion. (*Interruptions*).

SHRI DIPEN GHOSH: That was the understanding. (*Interruptions*).

THE DEPUTY CHAIRMAN: If the House so agrees.....(*Interruptions*).

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, I have point. My submission is this. Why should we go back on our position? We should not go back on our position. The point is simple. As far as possible, the business of the House should be completed today. We should not keep issues hanging on to give chances to somebody else to do any mischief. That is my simple understanding. Madam, sooner or later... (*Interruption*).

THE DEPUTY CHAIRMAN: The sooner I adjourn the House, the better. Take your seat.

SHRI GURUDAS DAS GUPTA: Therefore, Madam, under the plea of settling disputes, let us not keep the issue pending. That will be my submission. It is for democracy that we should do it. (*Interruptions*). It is the convention.

SHRI M. S. GURUPADASWAMY (Uttar Pradesh): Madam Deputy Chairman, there should not be any confusion or doubt on this matter. I think the House is, by and large, moving in one direction. And little problems, technical difficulties, should not come in our way. Madam, we have reached this understanding with you in the Chamber. I do not want to quote all these things. I think that understanding should stand. We should go through all the rest of it except the Constitutional Amendment Bill which can be taken up tomorrow. So today we can pass all the rest. We can meet at 3.30 P.M. if you feel. It is for you to decide.

THE DEPUTY CHAIRMAN: As the House has agreed, I will give enough time to the Secretariat--fifteen minutes, twenty minutes—but today we will finish all the financial business which is pending and tomorrow at 11 o'clock, we will take up the Punjab Amendment.

The House is adjourned for one hour.

The House then adjourned at fifty-one minutes past two of the clock.

[The House reassembled at fifty-five minutes past three of the clock. The Deputy Chairman in the Chair.]

REGARDING PAPERS LAID ON THE TABLE—Contd.

श्री शंकर दयाल सिंह (बिहार) : मेडम, हम लोग जिस बात के लिए चिंतित हैं उस की ओर कोई ध्यान ही नहीं दे रहा है ?

उपसभापति : फरमाइये ।

श्री शंकर दयाल सिंह : हम लोग चिंतित हैं कि सरकार का क्या हुआ, सरकार है या नहीं है और लोक सभा का क्या हो रहा है ? पूरा देश चिंतित है । इसलिए मैं चाहता हूं कि कम से कम किसी ओर से इस बात पर प्रकाश डाला जाना चाहिए । जो बातें अखबारों में आ रही हैं और जो चीजें हम लोग सुन रहे हैं, देख रहे हैं इससे लोकतंत्र पर खतरा नजर आता है (व्यवधान)

उपसभापति : हम तो आपको एक बात कह रहे हैं कि राज्य सभा है और राज्य सभा रहेगी, हमें खाली इसकी जिम्मेदारी है और किसी की जिम्मेदारी नहीं है । (व्यवधान)

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश) : उपसभापति महोदय, मेरी दूसरी चिंता है (व्यवधान)

SHRI G. SWAMINATHAN: Madam, I am on a point of order.

THE DEPUTY CHAIRMAN: I will allow you later. Please sit down. Let him finish now. (*Interruptions*) हमी में हैं, हम लोगों में हैं, पाण्डेय जी, क्या आप थोड़ी देर बैठ कर चिन्ता नहीं करेंगे, खड़े रह कर चिन्ता करेंगे ?